

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**GRIDDY ENERGY, LLC¹
DEBTOR**

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§

**CASE NO. 21-30923 (MI)
(Chapter 11)**

**UNSWORN DECLARATION UNDER PENALTY OF PERJURY
IN SUPPORT OF LIMITED OBJECTION TO ADMINISTRATIVE STATUS OF
CLAIM NO. 213 OF WILLIAM HIGHTOWER**

1. “My name is Russell Nelms. I am over 21 years, and am fully competent to make this Unsworn Declaration. I have personal knowledge of the facts set forth herein and they are true and correct.
2. I am the Plan Administrator charged with implementing the Modified Third Amended Plan of Liquidation for Griddy Energy, LLC under Chapter 11 of the Bankruptcy Code, dated May 26, 2021 [Docket No. 311](and as amended, modified and/or supplemented, the “Plan”), filed by Griddy Energy, LLC (the “Debtor”) and confirmed by that certain Confirmation Order, dated July 7, 2021 [Docket No. 386](the “Confirmation Order”).
3. Pursuant to the Plan, I am responsible for evaluating the asserted claims against the Debtor, and, if necessary, objecting to same.
3. I have reviewed the Stretto Claim No. 213 filed on 5/29/2021 (the “Claim”) by William Hightower (“Claimant”) in this matter.
4. The Claim is for the high cost of Claimant’s energy bill, not for the payment of goods provided by Claimant to the Debtor, pre-petition or for a deposit toward purchase, lease or rental of property or services. The Claim does not represent any cost incurred by Claimant to enhance, preserve or benefit the Debtor, or its estate, after the Petition Date, and no

¹ The last four digits of the Debtor’s federal tax identification number are 1396. The mailing address for the Debtor is P.O. Box 1288, Greens Farms, CT 06838.

statutory bases exist for the Claim to be classified as an administrative claim pursuant to Section 503 or a priority claim pursuant to Section 507 of the Bankruptcy Code.

5. The Claim does not qualify for administrative priority status and should be classified as a Class 5 Customer Claim. I am seeking to reclassify the Claim to its proper class and I have made no other determination as the validity or allowability of the Claim and am reserving my rights to further evaluate the allowability of the Claim, if necessary.
6. This Unsworn Declaration Under Penalty of Perjury is made pursuant to 28 USC §1746. I declare, under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.


Russell Nelms, Plan Administrator